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CHAPTER XV

LAWS AND PRECEPTS

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The Burmese were accustomed to telling early travelers in their country that the Karen had no laws or government. But this statement was wrong. The investigations of Dr. Mason some sixty years ago brought to light a considerable body of unwritten regulations that were preserved in memory and handed down by word of mouth. The Karen have no knowledge of an early lawgiver among their people, unless their traditions of "Y'wa" might be regarded as pointing to him as having exercised such a function. These regulations, which are cherished as the sayings of the elders, consist of definite precepts that deal with various social relations and obligations, the cultivation of certain traits of character and the suppression of their opposites, the prevention of crime, the punishment of evil-doers, etc. I have already remarked in the chapter on Social Conditions that the unit of political and social life among the Karen is the village.[1] In consequence, the village chief is the highest civil authority in his little community. In the early days a chief of strong personality, such as Saw Lapaw of Bawlake or East Karenni, would extend his control over several villages and perhaps weld them into a kind of state; but, unless this son and heir possessed an equally dominating nature, the fabric would fall apart as soon as the controlling hand was removed. The organization of the village was patriarchal, but the government was really democratic. The elders of the village comprised an informal council, which heard all communal business and talked matters over with the chief, who usually expressed their opinion in rendering his decision. As a rule there was at least one man in every village who was especially versed in the ancient lore, laws, and customs, civil and religious, and who repeated them, together with illustrative stories, to some one of the younger generation who was interested in learning them. A village without such a legal authority was more than likely to be a concrete example of the proverb: "Where there is no smith, the axes are soft. Where there is no cock, the rooms are still." The

[1] See ante, p. 127. What follows in this chapter is largely condensed from Dr. Mason's article: *Journal, Asiatic Society of Bengal*, Vol. XXXVII, Pt. II, 139-164.

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inhabitants of such a community were without proper guidance in the conduct of their affairs. They were left unaided by the experience of the past. The elders in the properly instructed villages were the custodians of the ancient laws, which they were not supposed to change but were expected to transmit exactly as they had received them.

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The form in which these laws have been handed down is illustrated by the following saying on love:

"Children and grandchildren, love one another. Do not quarrel; do not find fault with each other. When we are in the village we are separate persons, but when we go to clear the fields we are brethren; and if one is taken sick on the road or in the jungle, we must take care of him. We must look after each other. When we cut the fields we are brethren. If one is sick, all are sick. If one dies, all die; and we must carry his body back to his house and lay it in the hall, that his brethren may see and his wife and his children may see that he is dead."

Other sayings of the elders are expressed in language similar to that just quoted and deal with such subjects as industry, indolence, helping the poor, widows and orphans, evil-doers, duty to parents, humility, swearing, covetousness, partiality, backbiting, hatred, quarreling, falsehood, oppression, theft, exacting fines, killing, famines, etc. Each saying or precept is in the verbose style of the one given above, telling the younger generations what they should or should not do. Dr. Mason has recounted these various sayings at length, as they were reported to him by a member of the Bwe group of Karen tribes. The sayings thus recorded are found to be similar to those handed down among the Sgaw and other tribes. It is worthy of remark that few of the elders on the plains [178] can repeat them at the present time. Dr. Mason's record covers some twenty pages in the *Journal of the Asiatic Society of Bengal*, but I shall content myself with calling attention to a few salient points in the precepts.

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The one on famines has but little of direct import to say about that specific subject. It reminds the "children" that the elder has seen much of life and its vicissitudes, including fires, floods, plagues of rats, and massacres by Burmans and Talaigns. He has seen one man invite another to a meal, in order to accuse him of stealing his food and thus have an excuse for selling him into slavery. He has seen a bronze drum exchanged for a sheaf of paddy